REMARKS

Claims 1-24 are being presented with claims 1, 12, 13 and 24 being independent claims.

Applicants have corrected a typographical error which occurred on page 35 of the specification, and inserted an omission on the parts list on page 41.

The present invention is directed to a method and system for providing automatic services over a communication network to a user based on stored instructions by the user on a user computer. The method and system includes automatically initiating the obtainment of instructions stored on the user computer over a communication network by the service provider. Thus, the present invention is directed to a method and system where the user provides all the instructions on the user computer with regard to images stored thereon. The instructions with respect to the associated digital image files are then implemented by the service provider. For example, if images are to be shared or turned into prints, the service provider will then obtain the appropriate images and either forward them to the sharee or provide the appropriate prints as set forth in the instructions. It is respectfully submitted that the prior art does not teach or suggest the invention as currently set forth.

The Examiner, in paragraph 3 of the Official Action states that Jebens discloses "a method for providing an automatic service over a communication network to a user based on stored instructions by a user on a user computer". However, the instructions provided by Jebens are not stored on a user computer but are provided on a form that is submitted by the user to the host site. The Examiner cites column 3, lines 5-10 for supporting the statement set forth above. The specification at this point discusses the permitting of a first user to locate and download resolution copy of at least one digital image. The specification goes on to state <u>receiving</u> an electronic file defining a document from the first user, the document being designed to incorporate at least one digital image and data developed outside the system. As can be seen, the document is being received from the user thus it is the user that forwards this information. As also set forth in the cited passage, the host site receives instructions from the first user directing that the electronic file be delivered to a second user. Here again, it is the user that is forwarding/transmitting the file to the host site. This is in

complete contrast to the present invention where it is the service provider that initiates the obtaining of instructions stored on the user computer. In the present invention, the user need not do anything other than provide the instructions on the computer and when the service provider initiates the communications with the user, the service provider then proceeds to implement the instructions that are stored on the user computer. With regard to column 18, lines 16 through column 19 of Jebens, this section simply discloses that the hot folder system forwards images to the recipient. There is no teaching or suggestion in this passage or any other passages in Jebens of initiating the attainment of instructions stored by the service provider on the user computer which relate to digital media file also stored on the user computer. The Examiner cites Allen et al. as disclosing a memory for storing digital images produced by the image sensor in digital image files. However, Allen simply discloses storing of the image files on a digital capture device and then forwarding the digital images to a service provider. There is no teaching or suggestion of retrieving images and instructions by the service provider as taught and claimed by Applicant.

Applicant respectfully submits that neither Jebens nor Allen teach or suggest the automatically initiating the obtainment of instructions stored on the user computer over a communication network by a service provider as taught and claimed by Applicant. In both references the initiation of the transfer is by the user and not by the service provider.

The Examiner also makes the statement that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combined teachings of Jebens and Allen with the instructions being associated with digital media files stored on the user computer and manipulating instructions with respect to associated digital image file. The Allen reference is simply directed to a digital camera for transmitting digital images to specific service providers. In addition, Allen does disclose also forwarding control signals to the image fulfillment service provider. However, in all instances, these images are being transmitted by the user (see column 3, lines 51-52, column 4, lines 23-25 and column 4, lines 52-54). The Jebens reference is directed to a digital data management system for allowing authorized individuals to have selective access to stored digital images and then being able to provide work orders for transmitting of stored images at the host site to a third party. The two cited

-4-

references are directed to two totally apart and distinct systems that are unrelated to each other. The only relationship between the two references is that digital images are being forwarded to a recipient. In the Allen reference it is from a digital camera directly to a fulfillment provider. In the Jebens reference the images are stored on a host system whereby individuals can have access to the stored images and then provide directions as to where they are to be forwarded. There is no teaching or suggestion why one would modify one in view of the other. In order to properly combine references, there must be some teaching or suggestion to do so. Applicants respectfully submit that there is no suggestion or motivation to combine the cited references. Further, even if they were combined they do not teach or suggest the invention as set forth in the independent claims.

The Examiner has also cited the Liu et al. reference (US 6,523,046) to the rejection of claims 9-11 and 21-23. However, Applicant respectfully submits that these claims are dependent claims and depend upon the independent claims which have been shown to be patentably distinct. The Liu reference does not teach or suggest anything which would render the independent claims obvious. Accordingly, it is respectfully submitted that Liu does not teach anything that would render Applicants' claims unpatentable.

With regard to the rejection of claims 2 and 14, Applicants do not understand the reference to column 9, lines 47-51. The Examiner states that this part of Jebens discloses instructions relating to the sale of rights to use and reproduce the image. The Jebens reference at the cited section states "After the item record is created and stored, the autolog server 32 examines the newly received data file to determine whether it is an image file (block 212). If the data to be stored in the data management system is not an image file, the system 10 skips ahead (block 214) to block 226 in FIG. 4B". There is no reference or suggestion with regard to the sale of rights to reproduce the image. This is simply directed to the transmission to determine where the received data is to be stored on the host site. If the received data is an image it will be stored in one place, if it's another kind of file it will be filed someplace else. Accordingly, it is respectfully submitted there is no teaching or suggestion relating to the sale of rights to use and/or reproduce the image as being disclosed in Jebens.

With regard to the remaining rejections, they all deal with respect to the dependent claims. It is respectfully submitted that these dependent claims

are also patentably distinct for the same reasons previously discussed with regard to the independent claims upon which they depend.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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